

**RULES/AGENCY RULES COMMITTEE**

Meeting Report  
November 9, 2005

**PRESENT:** Chair Chavez, Members Chirco and Williams  
Council Member Yeager attended as an alternative member.

**ABSENT:** Member Campos (excused)

**STAFF:** City Attorney Rick Doyle, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, Assistant to the City Manager Deanna Santana, Sr. Executive Assistant Nadine Nader and Redevelopment Agency Liaison Gary Miskimon

Chair Chavez called the meeting to order at 2:03 p.m.

**A. Redevelopment Agency**

**1. Review of the November 22, 2005 Draft Agenda**  
MEETING CANCELLED

**2. Add New Items to November 15, 2005 Agenda**  
No items scheduled for the November 15, 2005 Redevelopment Agency Meeting. The Meeting has been cancelled.

**a. Redevelopment Board Requests**

- There were none.

**b. Executive Director Requests**

- There were none.

**c. RDA Counsel Requests**

- There were none.

**3. Staff Reports Outstanding**

Documents Filed: Report from the Redevelopment Agency Council Liaison Gary Miskimon dated November 9, 2005, listing no items for the November 15, 2005 Redevelopment Agency Meeting. The Meeting has been cancelled.

Discussion/Action: The Committee noted and filed the Redevelopment Agency Liaison's report.

**B. City Council**

**1. Review of the November 22, 2005 Draft Agenda**

MEETING CANCELLED

**2. Add New Items to the November 15, 2005 Agenda**

The Committee recommended the following additions to the November 15, 2005 City Council Agenda:

**a. Mayor and Councilmember Requests**

- Presentation of a commendation to Nick Donofrio, Executive Vice President, Innovation and Technology, to acknowledge IBM Corporation's contributions to the intellectual and economic development of San José, Silicon Valley and the World, with the invention of the Random Access (RAMAC) Storage Device. (Williams)
- Presentation of a commendation to the Coalition Against Teen Tobacco (CATT) in recognition of their outstanding commitment to tobacco prevention and education in our community. (Yeager)  
TO BE HEARD IN THE EVENING
- Presentation of a commendation to Design Response. (Cortese)
- Presentation of a commendation to the Lake Cunningham Park Volunteers. (Cortese)  
TO BE HEARD IN THE EVENING

**b. City Manager Requests**

- There were none.

**c. City Attorney Requests**

- There were none.

**d. City Clerks Requests**

- There were none.

**3 Staff Reports Outstanding**

Documents Filed: Report from the City Manager's Office dated November 8, 2005, listing six (6) staff reports outstanding for the November 15, 2005 City Council Meeting.

Discussion/Action: The Committee noted and filed the City Manager's Report.

**C. Legislative Update**

**1. State**

Documents Filed: November 8, 2005 Special Statewide Election - Statewide and Santa Clara County Returns.

Discussion/Action: The Committee directed staff to review pending initiatives for next year's ballot that may impact the City of San José as soon as possible to determine if the City should take any positions on the petitions for new initiatives. The Committee noted and filed the Statewide and Santa Clara County Returns.

**2. Federal**

There was no report.

**D. Meeting Schedules**

There were none.

**E. Public Record**

Documents Filed: Memorandum from the City Clerk dated November 3, 2005, transmitting items filed for the Public Records for the period October 26, 2005 – November 1, 2005.

Discussion/Action: The Committee noted and filed the Public Record.

**F. Appointments to Boards, Commissions and Committees**

**1. Small Business Development Commission**

Documents Filed: Memorandum from Council Member Reed dated October 25, 2005, regarding re-appointments to the Small Business Development Commission.

Discussion/Action: The Committee recommended the re-appointment of incumbents Daisy Chu, Jordan Dancer and Joyce Puopolo to terms ending December 31, 2008.

**2. Request for Leave of Absence by Arts Commissioner**

Documents Filed: Memorandum from Paul Krutko, Director of the Office of Economic Development, dated October 31, 2005, regarding a request for leave of absence by an arts commissioner.

Discussion/Action: The Committee recommended approval of a one-month leave of absence for Arts Commissioner Jess Moreles, for a period November 1 – 29, 2005

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Addition to Auditor's Work Plan – Review of HP Pavilion Arena Fees**

Documents Filed: Memorandum from City Attorney Richard Doyle and City Auditor Gerald Silva, dated November 2, 2005, regarding the addition to the Auditor's Work Plan.

Discussion/Action: The Committee recommended that the review of the HP Pavilion records to verify the appropriate payment of Arena fees to the City of San José be added to the Auditor's Work Plan.

**2. Workload Assessment Report to Review Ordinances for Illegal Tree Removal and to Evaluate the Feasibility to Increasing Fines and Other Mitigations for Illegal Tree Removals**

Documents Filed: Memorandum from James Helmer, Director of Transportation and Stephen Hasse, Director of Planning, Building and Code Enforcement, dated November 4, 2005, regarding the workload assessment for review of the ordinances involving the illegal removal of trees and resultant fines.

Discussion/Action: The Committee recommended acceptance of the workload assessment report and the alternative process in which staff would perform a limited level of case and date review assess potential trends and reasons for illegal tree removals, and to determine if increasing fines and mitigation levels would act as additional disincentive for property owners to violate the tree removal ordinances.

**H. Open Forum**

There were none presented.

**I. Adjournment**

The meeting adjourned at 2:11 p.m.

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Cindy Chavez, Chair  
Rules/Agency Rules Committee